



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200050542

Date: May 25, 2001

Comments Due: June 21, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to fill 2.558 acres of wetlands to construct a traditional "Town Center" development in the Snyderville Basin area of Summit County, Utah, as shown in the attached drawings.

APPLICANT: MJM5 Co., LLC
Marc Wangsgard
1314 Bitner Road
Park City, Utah 84098

LOCATION: The 101.76-acre Redstone Parkside property is located in the northwest corner of the Snyderville Basin, just east of Highway 224 and South of Interstate 80 in Section 19, Township 1 South, Range 4 East, Kimball Junction, Summit County, Utah. The proposed development is located east of the current dead end of Uintah Boulevard.

PURPOSE: The proposed action will fill 2.558 acres of the 10.6 acres of jurisdictional wetlands within the western portion of the parcel as part of the construction of a traditional "Town Center" development which will include restaurants, office space, retail areas, residential units, athletic facilities for the U.S. ski and Snowboard Association, and all associated utilities. Within the development boundary, the organic layer of soil will be removed and approximately 2 feet of structural fill will be deposited over the development area. The development will be built on the structural fill.

PROJECT DESCRIPTION: Summit County has zoned an area in Kimball Junction for "Town Center" development. The intent of this zoning is to provide a compact area for development of a multi-purpose concept requiring a mix of residential units, office and retail space, based on traditional town planning principles and rural open spaces.

Gas stations, fast food restaurants and large discount retail chains comprise Kimball Junction as a drive-through development area. Redstone Parkside will help bring a sense of "town" to the area, supply resources that are in high demand within the Kimball Junction/Snyderville Basin area, and generate an increased tax base and new sources of income for Summit County.

Redstone Parkside is a "sister" development to Redstone, which received an individual permit from the Corps of Engineers to fill 6.86 acres of jurisdictional wetlands and was approved for development by Summit County in 2000. Redstone abuts the planned Redstone Parkside development on its western boundary. Redstone Parkside is planned as an extension of Redstone and the two developments will function as one "Town Center" community.

The Redstone Parkside development will also serve as an entrance to the Swaner Memorial Park. A trail system will connect both Redstone and Redstone Parkside to the Snyderville Basin trail system and the Swaner Memorial Park.

Project History:

Prior to Redstone Parkside, MJM proposed the Somerset development located north of Interstate 80. As part of the approval process for Redstone Parkside, Summit County and MJM have agreed to create a significant conservation easement on the Somerset parcel for the transfer of density to Redstone Parkside. The Density Transfer Agreement has been approved by Summit County. The Somerset property boundary is shown on the attached Somerset Vicinity Map.

Somerset is zoned residential with approval granted to MJM to construct 154 residential units. Approximately 39 acres that span East Canyon Creek comprise Somerset. Summit County has identified this property as critical view shed that includes meadows, hillsides, ridgelines, and significant wildlife habitat, geologic and other environmental features. Wetlands and waters of the U.S. on the property include East Canyon Creek and adjacent wetlands and an ephemeral drainage.

As part of the planned Redstone Parkside development, MJM has relinquished development rights on the portion of Somerset located northeast and east of East Canyon Creek. A permanent conservation easement will be created, covering approximately 38 acres of the 39.19 acres within the Somerset property. Six density units have been allocated to the Piano Parcel for future commercial development by MJM. The 1 acre Piano Parcel is located southwest of East Canyon Creek.

Development Description:

The Redstone Parkside development will have a total of 305,000 square feet of office space. Many of the office buildings will consist of three floors. The total square feet of office space for the first and second floors of these buildings will be 118,000 each level. The third floor square footage will total 69,000 square feet.

All retail/commercial space, totaling 120,000 square feet, will be located on the first floor.

The market unit flats, totaling 75,000 square feet, will be used for residence or office space. The flats will be located on the second floor of the buildings. Some of the market unit flats will have lofts. Some of the flats may be quarter time-share units with typical time-share amenities including a spa and athletic facilities.

The 130,000 square feet of residential housing will be located on the second floor.

The U.S. Ski and Snowboard administrative and training facilities will be located at the southern end of the property. The USSA site includes 10,000 square feet of commercial space, 30,000 square feet of athlete domiciles, and 80,000 square feet of office/training facility space. The training facilities include a track and soccer field.

Approximately 18 percent, or 112,000 square feet, of buildable space will be donated to Summit County to be used as density transfer sites. The County will use these clustered density sites to exchange for open lands that will be permanently dedicated as open space.

Mitigation Measures: Due to the configuration of the wetlands to be impacted, the cohesiveness of the projects and the nature of the developments, the developers of Redstone Parkside (MJM5 Co.) and the adjacent Redstone property (Boyer Co.) have agreed to mitigate the wetland impacts together. Redstone Parkside and Redstone will use a combined storm water and mitigation plan to alleviate the impacts of their development.

The wetland mitigation will provide a higher functioning wetland than those impacted. MJM will create a permanent conservation easement on the Somerset parcel of approximately 39 acres. In addition, 52 acres of the 101.76 acre Redstone Parkside parcel will be preserved as open space in perpetuity under the "Swaner Memorial Park Foundation."

Grease/debris traps will be installed to insure good water quality. A thick vegetation buffer of Douglas Hawthorn or Wild rose will be planted between the development and wetlands. A fence will be installed between the wetlands and trail system to reduce human and pet intrusions into the mitigation area. The trail entrance to the Swaner Memorial Park will have an interpretive center for educational purposes and will reduce pet intrusions to the Swaner Memorial park. The combined mitigation will take place east and south of the development boundary.

AREA DESCRIPTION: The Redstone Parkside property is located in the Snyderville Basin, a 4000-acre valley on the backside of the Wasatch Mountain Range about 30 miles east of Salt Lake City. Snyderville Basin is a flat valley that slopes down about 2% to the north. Redstone Parkside is located in the northwest corner of the Basin, just east of Highway 224 and south of Interstate 80.

Approximately 101.76 acres comprise the Redstone Parkside property. The western portion of the parcel includes approximately 10.6 acres of jurisdictional wetlands. The site is characterized as a mesic meadow sloping slightly to the east towards the Snyderville Basin meadow.

Historically, the site was used for livestock grazing and hay production. Irrigation water has been applied for over a century, with a reduction in application since the 1990s. Man-induced watering and dewatering of wetland areas has been common on the property due to the irrigation ditches and water application. A railroad bed bisects the Redstone Parkside property from south to north. This has created a barrier between wetlands, and drainages have formed on either side.

Spring Creek abuts the property to the east and meanders through the northern portion of the property towards Interstate 80. Located to the west are K-Mart, the strip mall, a portion of the Swaner Memorial Park and Redstone. Established on the eastern border of the property is the remainder of the Swaner Memorial Park. Interstate 80 is to the north and the south is the Bear Hollow property is to the south.

ALTERNATIVES:

1. Wetland Avoidance Alternative: Under this alternative, there is not enough space to create an economically viable "Town Center" development. The development would be placed in upland areas with an upland buffer between the wetlands and development. To access the northern portion of the property, wetlands or the wetland buffer would be impacted, thereby eliminating this area's developmental potential.

The resulting site constraints from this alternative would limit the total developable area to 18.2 acres. The circulation and continuity of the planned "Town Center" project would be significantly harmed. The developer will have to eliminate 10 buildings and many parking spaces. Approximately 210,926 square feet of building pad space would be lost.

The wetland avoidance alternative is not economically or architecturally feasible since the wetlands are located within the center of the western portion of the property and cannot be avoided without some kind of impact. The wetlands will not benefit from this alternative because the earlier Redstone development has altered the main hydrological components, which will lower the biological function of these wetlands. The minimum buffer zone will not completely protect the wetlands from human disturbance. The wetlands will still be affected by noise and air pollution. The Preferred Option's mitigation plan will have a higher function and value than preserving the existing wetlands.

2. Additional alternatives:

a. The developer would compress the project into a more dense development by expanding the project vertically. The vertical expansion required would exceed the county height restrictions and would not meet the new specially developed "Town Center" county code.

b. The development could also be spread over more land, making the development less dense and avoiding some of the existing wetland. However, the sprawl alternative may have more environmental impacts than clustering the development.

ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. Presently unknown cultural resources may be located in the permit area. This activity would not affect any threatened or endangered species or their critical habitat. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Certification for this project, according to Section 401 Clean Water Action has been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards.

Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Ph.D., Utah Division of Water Quality, P. O. Box 144780, Salt Lake City, Utah 84114-4870, on or before **June 21, 2001**.

Interested parties are invited to submit written comments to the Utah Regulatory Office, 1403 South 600 West, Suite A, Bountiful, Utah 84010, on or before **June 21, 2001**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Hollis Jencks of Jack Johnson Company, the developer's agent, at (435) 645-9000, or email hjencks@jackjohnson.com, or Ms. Amy Defreese in the Utah Regulatory Office, 1403 South 600 West, Suite A, Bountiful, Utah 84010, telephone (801) 295-8380, extension 13, or email adefreese@spk.usace.army.mil.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: 5 Drawings